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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,441	10/31/2003	Takanobu Adachi	SHO-0022	7736

23353 7590 03/07/2008

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EXAMINER	
NGUYEN, DAT	
ART UNIT	PAPER NUMBER
3714	

MAIL DATE	DELIVERY MODE
03/07/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/697,441	ADACHI ET AL.	
	Examiner	Art Unit	
	DAT T. NGUYEN	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 January 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3 and 5-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3 and 5-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/10/2008 has been entered.

Response to Amendment

This office action is responsive to the amendments filed on 12/06/2007 in which applicant amends claims 1, 3, 5, 7, 8, 10-12, cancels claims 2 and 4, adds new claims 13 and 14, and responds to claim rejections. Claims 1, 3 and 5-14 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3, 5-8, 10 and 12-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Loose et al. (hereinafter as Loose) (US 6,517,433).

Regarding claims 1, 12, 13 and 14:

Loose discloses the use of a game result device display for displaying a game (2:27-35). The machine has a means to generate a bonus found and a predetermined with that is displayed on the display (3:11014 and 48-50). The display comprising a plurality of reels on which symbols are formed (figure 1 and 2a) and a second display device arranged in front of the reels wherein the second display is an LCD and the reels can be seen (figures 3 and 4, 2:26-35). The LCD (second display as claimed) including a symbol display area to display symbols of the reels and an effect display area formed around the symbol display area. Inherently the device of Loose includes such a feature since Loose discloses the reels being visible from behind the LCD to the viewer and so therefore that area of the LCD that the reels occupy is interpreted as the symbol display area as shown in figure 3, features 12a-c. While the effect display area is any area outside of the symbol display area on the LCD. The effect display area can display various features such as special effects, payline labels and even animations (figure 9a and the detailed description thereof).

Finally, regarding the limitations of the varying velocity of the symbols on the different display areas, the examiner has interpreted such limitations as intended use since they do not result in a structural difference in the claimed invention from the prior art. The prior art of Loose discloses the use of LCDs which are known to be able to display icons moving at different speeds and are certainly capable of doing so in the claimed manner and therefore meets the limitations of the claims. Additionally, Loose also discloses the use of special effects moving across the screen in figure 9a-c and 5:1-10.

Regarding the limitations of claims 3, 5-8 and 10, the rejection as stated in the previous office action dated 07/16/2007 is maintained and incorporated herein. Furthermore it should also be noted that much of the limitations of the above claims are intended use limitations and should be interpreted in the same manner as the intended use language of the rejection of claims 1 and 12-14 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loose et al. as applied above.

Loose teaches audio/video resources to be played in connection with the game (6:4-12). It is well known in the art that audio/video con ab use dot intensify the gaming experience. Thus audio/video is typically played based on the wager, game theme, speed of the game, and other factors commonly known to one of ordinary skill in the art. One of such skill would therefore recognize that playing audio/video relative to the speed of the game is an excellent way of creating excitement in the game. It would therefore be obvious to one of ordinary skill in the art at the time of invention to change the audio video of the game corresponding to the moving velocity of the game to create or maintain player excitement in the game.

Response to Arguments

Applicant's arguments filed 12/06/2007 have been fully considered but they are not persuasive.

In response to applicant's arguments drawn towards the intended use of the LCD display wherein the display alters the velocity of the game information depending on the location of the information (symbol display area or effect display area), the examiner has interpreted such limitations as intended use limitations as discussed above in the instant rejection since such limitations do not add to the structure of the apparatus claims. The prior art structure of an LCD is certainly capable of displaying information and icons moving on the screen at varying velocities and so therefore the prior art meets the limitations of the claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAT T. NGUYEN whose telephone number is (571)272-2178. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571)272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Robert E Pezzuto/
Supervisory Patent Examiner, Art Unit 3714

Dat Nguyen

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	10/697,441	ADACHI ET AL.	
	Examiner	Art Unit	
	DAT T. NGUYEN	3714	